

Newport Borough Council
January 3, 2012 – Reorganization Meeting
Newport, PA 17074

Mary M. Hetrick called the Reorganization to order at 7:00 P.M. and welcomed new members of council and guests.

OTHERS PRESENT – Solicitor Stanley Laskowski, Engineer Peter Fleszar, Code Enforcement Officer Rick Miller and Secretary Patricia Bowers.

GUESTS - Thomas Fitzpatrick, Larry Lauver, Mrs. Lauver, Don Hetrick, Diana McPherson, Cody Harris, Adam Still, Rich Behne, Dawn Behne, Dennis Wilson, Don Robinson, Jamie York, Carl Roush, Lynn Halstead, and Robert Nulton.

Mayor Hetrick administered the Oath of Office to Tami Halstead, Lorrie Nulton, James Prescott and John McNaughton.

Mayor Hetrick congratulated the newly and re-elected members of Borough Council. As the year begins for the Newport Borough Council, it is time to call for a reorganization of Borough Council.

Mayor Hetrick asked for nominations for the office of President of Council.

Council Member Tami Halstead nominated Jason Ehrhart for President of Council. Council Member Lorrie Nulton seconded the nomination. Council Member Douglas Beatty nominated Barbara Hart for President of Council. Council Member John McNaughton seconded the nomination. Mayor Hetrick asked if there were any other nominations for President of Council. Hearing no further nominations, the nominations are now closed.

Roll call vote was taken for Jason Ehrhart for President of Council. Council Members Tami Halstead, Lorrie Nulton and Jason Ehrhart voted yes and Council Members Barbara Hart, Douglas Beatty, James Prescott and John McNaughton voted no.

Roll call vote was taken for Barbara Hart for President of Council. Council Members Barbara Hart, Douglas Beatty, James Prescott and John McNaughton voted yes and Council Members Tami Halstead, Lorrie Nulton and Jason Ehrhart voted no.

Barbara Hart will take the office of President of Council.

Mayor Hetrick passed the gavel to President Hart at this time.

President Hart asked for nominations for Vice President of Council at this time.

Council Member Tami Halstead nominated Jason Ehrhart for Vice President of Council. Council Member John McNaughton nominated Douglas Beatty for Vice President of Council. Cl'm Beatty moved, seconded by Cl'm Prescott to close the nominations. Motion carried.

Roll Call vote was taken for Jason Ehrhart for Vice President of Council. Council Members Tami Halstead, Lorrie Nulton and Jason Ehrhart voted yes and Council Members Barbara Hart, Douglas Beatty, James Prescott and John McNaughton voted no.

Roll call vote was taken for Douglas Beatty for Vice President of Council. Council Members Barbara Hart, Douglas Beatty, James Prescott and John McNaughton voted yes and Council Members Tami Halstead, Lorrie Nulton and Jason Ehrhart voted no.

Douglas Beatty will take the office of Vice President of Council.

AT THIS TIME THE BOROUGH SECRETARY TOOK ROLL CALL OF THE BOROUGH COUNCIL OF THE BOROUGH OF NEWPORT.

BOROUGH COUNCIL MEMBERS PRESENT - Tami Halstead, James Prescott, Lorrie Nulton, John McNaughton, Jason Ehrhart, Douglas Beatty and Barbara Hart.

APPOINTMENTS

SOLICITOR – Cl'm Halstead moved, seconded by Cl'm Ehrhart to appoint Stanley Laskowski as the Solicitor for Newport Borough. Motion did not pass with a Roll Call vote of (3) yeas and (4) nays. Council Members Tami Halstead, Lorrie Nulton and Jason Ehrhart voted yes and Council Members Barbara Hart, Douglas Beatty, James Prescott and John McNaughton voted no. Solicitor Laskowski stated if he was not needed he would take leave as his services have not been retained. He was asked to be here because of the Executive Session materials in the matters of legal pending with regard to the litigation concerning the borough and to discuss information that was given at last week's meeting. It has been his pleasure in the past to serve council and he is very proud of the work that he has done for Newport Borough and it was an awful lot and he has done everything that the council has asked during the past (2) two years. Cl'm Halstead asked how can you not name somebody else. You just can't not have an attorney. President Hart stated we will have to put feelers out. Cl'm Nulton stated I thought you had to advertise before. Cl'm Halstead asked can you just leave the council without an attorney. President Hart replied yes you can. Cl'm Halstead stated it is very unwise.

ENGINEER – Cl'm Halstead moved, seconded by Cl'm Beatty to appoint Glace Engineering as the Borough Engineer. Motion carried unanimously.

AUDITOR – Cl'm McNaughton moved, seconded by Cl'm Beatty to appoint Robert Morris CPA as the auditor for the Borough of Newport. Motion carried unanimously.

SECRETARY – Cl'm Ehrhart moved, seconded by Cl'm Halstead to appoint Patricia Bowers as Secretary for the Borough of Newport. Motion carried unanimously.

TREASURER – Cl'm Halstead moved, seconded by Cl'm Ehrhart to appoint Ricky Miller as the Treasurer of the Borough of Newport. Motion carried unanimously. As Treasurer, Rick Miller, makes the deposits for the Secretary and does the transfers for payroll. Secretary handles the administrative paperwork.

ZONING SOLICITOR – Cl'm Beatty moved, seconded by Cl'm Prescott to appoint James Turner as the Solicitor for the Zoning Hearing Board. Motion carried unanimously.

POLICE SOLICITOR – Cl'm Halstead moved, seconded by Cl'm Ehrhart to appoint Mike Miller as the Police Solicitor for the Borough of Newport. Cl'm Halstead reminded Borough Council that we are in the midst of some disputes that he is handling. Whether or not you want to pay somebody to start all over again is up to you. Cl'm Nulton commented she agreed with Cl'm Halstead, there are many issues and he is right in the thick of it; you already have dismissed the Solicitor who is in the thick of things too. If you dismiss Mike Miller, she thinks they are committing suicide for this council. Cl'm Halstead commented you will be spending thousands of dollars of taxpayer money. Cl'm Nulton objected to Cl'm Prescott voting for anything having to do with the police. Cl'm Halstead commented that is conflict of interest. Cl'm Prescott commented if you want to talk about conflict of interest, you (Cl'm Halstead) are being sued by the police officer, where is your conflict of interest. Cl'm Halstead commented her personal lawsuit has nothing to do with this council and that cannot be brought into a police matter. Cl'm Prescott did abstain, but no one has given him a letter or anything to this nature before this meeting stating so. Cl'm Halstead commented I can vote on anything with council matters. Dawn Behne commented not when your being sued by the police department. Cl'm Halstead replied she was not being sued by the police department, she was being sued by her husband and it is a civil suit. Dawn Behne replied and that is exactly what everything that you are doing and everything that you've done in the paper the last go around....Cl'm Hart stopped the conversation and moved on with the business. Motion did not pass with a Roll Call vote of (3) yeas and (3) nays with one abstention by Cl'm Prescott. Council Members Tami Halstead, Jason Ehrhart and Lorrie Nulton voted yes and Council Members Douglas Beatty, John McNaughton and Barbara Hart voted no. Tie vote was broken with a no vote from Mayor Hetrick.

BANK RESOLUTION – Cl'm Halstead moved, seconded by Cl'm Beatty to adopt a Resolution to remove Thomas Fitzpatrick and Andrew Blair from all Borough Accounts owned and managed by the Borough of Newport and add Council Members James Prescott and John McNaughton to all Borough Accounts owned and managed by the Borough of Newport and update the President of Council and Vice President of Council titles. Motion carried unanimously.

BOARD APPOINTMENTS

Borough Council received (2) letters of interest for the Water Authority Board: Tami Halstead and Barbara Hart
Borough Council received (1) letter of interest for the Municipal Authority: Carl Roush
Borough Council received (1) letter of interest for the Planning Commission: Frank Campbell
Borough Council received (1) letter of interest for the Zoning Hearing Board: Paddi Sharar

WATER AUTHORITY – Cl'm Ehrhart moved, seconded Cl'm Nulton to appoint Tami Halstead to the Newport Borough Water Authority Board for a term of (5) five years. Motion did not pass with a Roll Call vote of (3) yeas and (4) nays. Council Members Tami Halstead, Jason Ehrhart and Lorrie Nulton voted yes and Council Members Barbara Hart, Douglas Beatty, John McNaughton and James Prescott voted no. Cl'm Beatty moved, seconded Cl'm McNaughton to reappoint Barbara Hart to the Newport Borough Water Authority for another (5) five year term. Cl'm Halstead commented on the Water Authority's finances and asked some questions. Motion carried with a Roll Call vote of (4) yeas and (3) nays. Council Members Tami Halstead, Jason Ehrhart and Lorrie Nulton voted no and Council Members Barbara Hart, Douglas Beatty, John McNaughton and James Prescott voted yes.

NEWPORT BOROUGH MUNICIPAL AUTHORITY – Cl'm Beatty moved, seconded by Cl'm Prescott to reappoint Carl Roush to the Newport Borough Municipal Authority for another five year term. Motion carried unanimously.

NEWPORT BOROUGH PLANNING COMMISSION – Cl'm Beatty moved, seconded by Cl'm Nulton to appoint Frank Campbell to the Planning Commission for a (4) four year term. Motion carried unanimously.

ZONING HEARING BOARD – Cl'm Beatty moved, seconded by Cl'm McNaughton to reappoint Paddi Sharar to the Zoning Hearing Board for another (3) three term. Motion carried unanimously.

VACANCY BOARD – Cl'm Beatty moved, seconded by Cl'm Prescott to appoint Carl Roush to the Vacancy Board for the Borough of Newport for a (2) year term. Motion carried with Cl'm Halstead opposed.

PUBLIC COMMENT – Robert Nulton addressed the borough council. He has always been involved in his community. He ran for County Commissioner this past year because he was tired of the politics. He came tonight for the people because he felt like they are not getting represented in this county, in this nation and wants personal interests to be set aside. This is a new council now, and tonight I haven't seen that. It saddens him because it scares him for his children because they are tiny and he ran for them. I fought for them and I ask that you fight for them too because you may laugh and grin all you want, but they are important to him. I would hope that your children are important to you too. They deserve our best whether you're serving as a police officer, a borough council member, water authority, or secretary what ever you serve as. I would hope you do your job right and do what's right and stand up for what's right, even if everyone else wants you to do what's wrong, I would hope you do what's right. Not for him, and not for yourself but for the people. Because they are the ones that need you. This nation has gone on way too long having people be corrupt and doing what they want on their agendas. We elected you to do your job and I would pray and hope that you would stand up for the things that are right. Look at the issues and do what's right. Once again you are elected to do the right things, so stand by the constitution and if you're not doing what's right by god you're not standing up for the constitution because its one nation under god still. He's not gone. So I would hope that you would put party politics aside and your personal matters aside and do what is right in all areas, no matter where you serve. Cl'm Prescott thanked Mr. Nulton and agreed with him 100%. President Hart commented on something written in the Borough News this month. It says competition has shown to be useful up to a certain point and no further but cooperation which is the thing which we must strive for today begins where competition leads off.

ENGINEER'S REPORT –On behalf of Glace Associates, Peter Fleszar thanked the Borough Council for their continued confidence and the continued opportunity to serve them and the Borough residents of Newport. They recognize that these are difficult times and that there are limited means to pursue any improvements or any projects. Engineer Fleszar reported on the Dock Street Project. The base paving is done. He hasn't received a request for payment yet. Work now will be discontinued until spring. Peter reported there is a situation on Caroline Street above 6th Street which he had the opportunity to view with Cl'm Halstead before the meeting tonight. Max Stoner will be meeting with Jerry Robinson regarding this problem. They are working on resolving the problem which will be discussed later on. With respect with the Municipal Authority, they will be meeting with (2) of the funding agencies for the new treatment plant on January 5, 2012 at 1:30 P.M.

PUBLIC COMMENTS – **Donald Robinson** commented he hasn't attended a meeting for quite some time but he sees tonight it hasn't changed much. When you make an appointment to the Water Authority, he didn't see where that called for a discussion of the whole history of the Water Authority. That's why your meetings take so damn long. **Jamie York** commented she just wanted to introduce herself. She is the new coach for the Newport Girl's Softball League and she wanted to give us contact information and she wanted to know what they need to do to get the 2012 agreement done. Playground Committee will get in contact with them. **Adam Still of the Newport Ambulance League**. *Again he asked the Borough Council to think about donating to the new station they would like to build. They still aren't sure where. They are possibly looking at talking to Mr. Cohick to buy his lot and rebuild right there or move somewhere else.*

APPROVAL OF MINUTES - Cl'm Halstead moved, seconded by Cl'm Ehrhart to approve the December 28, 2011 Special Meeting Minutes as drafted. Motion carried unanimously.

APPROVAL OF BILLS – Cl'm Ehrhart moved, seconded by Cl'm Halstead to pay the outstanding bills in the amount of \$9,288.00 from the General Fund Account and pay the outstanding bills in the amount of \$4,738.82 from the Sewer Revenue Account and also ratify the purchase of the Visual Alert System for the Newport Police Department in the amount of \$5,473.00 to be paid in (3) installment payments. Motion carried unanimously.

SEWER REVENUE ANNUAL PAYMENTS – Secretary Bowers reported the Sewer Revenue Account balance is \$130,476.90. The Annual Capital Improvement payment to the Municipal Authority of \$25,000.00. The Annual Carryover for 2012 of \$15,000.00 will leave the balance of \$90,476.90, to be paid to the Municipal Authority. Cl'm Ehrhart moved, seconded by Cl'm Beatty to pay the Municipal Authority the amount of \$25,000.00 for the Capital Improvement Fund and pay the balance of user fees due to the Municipal Authority in the amount of \$90,476.90. Motion carried unanimously.

FINANCIAL REPORT – Newport General Fund Account balance January 1, 2012 was \$46,621.86. Deposits of \$13,048.12. Outstanding bills presented for payment of \$9,288.00. Estimated income for the balance of January of \$17,450.00. Estimated expenses for the balance of January of \$32,167.27 will leave an estimated balance January 31, 2012 of \$35,664.71. Liquid Fuels Account balance January 1, 2012 was \$27,938.46. There were no bills presented for payment. The Sewer Revenue Account balance January 1, 2012 was \$130,476.90. Annual Capital Improvement payment to NBMA of \$25,000.00. Annual Carryover for Sewer Revenue of \$15,000.00. Balance of Sewer User Fees to the Municipal Authority of \$90,476.90. Outstanding bills presented for payment of \$4,738.82 will leave a balance of \$10,261.18. Cl'm Ehrhart moved, seconded by Cl'm McNaughton to accept the Financial Report as presented. Motion carried unanimously.

GUESTS – **Gerald Robinson**, representing the Newport Borough Water Authority, came to the meeting in regards to the problem on Caroline Street above 6th Street at Ridge Alley. The area on Ridge alley that has been problematical with the water running is caused primarily because we have had (70) seventy inches of rain this year. Typically we have (43) forty three so we have almost (2) two years rain in one year. That is the primary problem. He can't make it quit raining so that we are going to have to live with for a little bit. We did make improvements up there, hopefully to divert the majority of the water into the one storm pipe that is up there. He thinks that is basically taking care of the athletic field and the water problem at Ridge Alley. He has been around for (70) seventy years and maybe he is the only one that noticed this but on the corner as you are leaving Newport going up Ridge Road at 6th Street where Bob Myers used to

live, water has run out of there for (70) seventy years that he has been around. I would think that would be a major concern too as well as the shed sitting on 6th Street on the south side of Walnut Street , the shed that sits on the bank, water has run out of that also for (60) sixty years. That never seemed to be much of a problem. I think I know why the hot ticket item is up there on Ridge Alley. I think if the reduction in rain doesn't take care of the problem we are going to go back in and puncture the pan that may be holding that water up. This is an act of God up there and we never thought the problem would be as bad as what it is. There is no storm drainage on Caroline Street in that area for us to direct it to so that the water can be taken away. We certainly don't want to cut 6th Street now that the street is in good shape. Once you start cutting them they keep braking down after that. Hopefully we can get this resolved.

CODE ENFORCEMENT BUILDING CODE CERTIFICATION – Cl'm McNaughton moved, seconded by Cl'm Beatty to authorize the payment of \$375.00 for the Code Enforcement Officer, Rick Miller, to sign up for the Building Code Certification class for certification. Motion carried unanimously.

President Hart called for an Executive Session at this time to discuss a personnel matter at 8:00 P.M.

President Hart called the meeting back to order at 9:28 P.M.

Cl'm Halstead moved, seconded by Cl'm Prescott that with the help of Corporal Keller and our future attorney write up an agreement concerning the GPS to settle the litigation matter that we have reached a tentative agreement between the Mayor and Borough Council which needs to be written up by an attorney but we have reached a compromise. Motion carried unanimously.

Cl'm Halstead moved, seconded by Cl'm Nulton to approve Corporal Keller for special duty assignment with the District Attorney's Office. Motion carried unanimously.

COMMENTS AROUND THE TABLE – Cl'm Halstead commented that she would really like the Borough Council to reconsider , after much discussion, the next meeting to reappoint Stan and Mike. She asked everyone to think about what they talked about and realize what we are losing but they might not even accept the position, but since we are going to have to consider who is going to be our attorneys. At least this matter that is pending here would be simple for them to write up, because they know all about it and there is still one unresolved matter that they are both fully aware of and could be resolved quickly. Then we don't have any other issues and we wouldn't need a police attorney till contract time. I hope that you would reconsider those (2) two appointments.

The next meeting will be January 17, 2012 at 7:00 P.M.

There being no further business to come before Borough Council, Cl'm Beatty moved, seconded by Cl'm Nulton to adjourn the meeting at 9:29 P.M. Motion carried unanimously.

Respectfully Submitted,
Patricia Bowers
Secretary

